

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Case No.: 3:07-cv-00011 (MOC)**

Elena M. David, Arleen J. Stach,)	
Victor M. Hernandez)	
)	
Plaintiffs,)	
v.)	JOINT MOTION TO MODIFY
)	PROTECTIVE ORDER
J. Steele Alphin, <i>et al.</i> ,)	
)	
<u>Defendants.</u>)	

WHEREAS the parties previously stipulated to a protective order in this case on August 14, 2009, which protective order was approved by the Court on August 17, 2009 (*see* Docket Nos. 134, 136);

WHEREAS the stipulated protective order contains a provision in paragraph 14 requiring that “all Confidential Information will either be returned to the party who provided it or destroyed” within 180 days “after the entry of a final non-appealable judgment or order concluding this litigation; and

WHEREAS the parties wish to have additional time to negotiate regarding the destruction of these documents;

THEREFORE the parties hereby stipulate to a 14-day extension of the deadline for destroying or returning Confidential Information in paragraph 14 of the stipulated protective order found at Docket No. 136 such that it permits such return or destruction within 194 days after the entry of a final non-appealable judgment or order concluding this litigation.

Dated: September 9, 2013

Respectfully submitted,

By /s/ Shannon M. Barrett

Shannon M. Barrett (Pro Hac Vice)
sbarrett@omm.com
Robert N. Eccles (Pro Hac Vice)
beccles@omm.com
O'MELVENY & MYERS LLP
1625 Eye Street, NW
Washington, D.C. 20006-4001
Telephone: (202) 383-5300
Facsimile: (202) 383-5414

Irving M. Brenner
MCGUIRE WOODS
201 North Tryon Street
Charlotte, North Carolina 28202
Telephone: (704) 343-2075
Facsimile: (704) 373-8935

Attorneys for Defendants Bank of America Corporation, J. Steele Alphin, J. Tim Arnoult, Catherine Bessant, Amy Woods Brinkley, Edward J. Brown, III, Charles J. Cooley, Richard M. DeMartini, Barbara J. Desoer, James H. Hance, Kenneth D. Lewis, Tim Mayopoulous, Liam E. McGee, Eugene M. McQuade, Alvaro G. De Molina, Brian T. Moynihan, Owen G. Shell, Jr., R. Eugene Taylor, F. William Vandiver, Jr., and Bradford H. Warner.

By /s/ Brian McTigue

J. Brian McTigue (*Pro hac vice*)
James A. Moore (*Pro hac vice*)
MCTIGUE LAW LLP
4530 Wisconsin Avenue, NW
Suite 300
Washington, DC 20016
Tel: (202) 364-6900
Fax: (202) 364-9960
bmctigue@mctiguelaw.com
jmoore@mctiguelaw.com

Gregory Yann Porter (*Pro hac vice*)
BAILEY & GLASSER LLP
910 17th Street, NW
Suite 800
Washington, DC 20006
Tel: (202) 543-0226
Fax: (202) 434-8252
GPorter@baileyglasser.com

Robert M. Elliot (Bar#7709)
ELLIOT PISHKO MORGAN P.A.
426 Old Salem Road
Winston-Salem, North Carolina 27101
Tel: (336) 724-2828
Fax: (336) 724-3335
rmelliot@epmlaw.com

Attorneys for Plaintiffs Elena M. David, Arleen J. Stach, and Victor M. Hernandez

CERTIFICATE OF SERVICE

I, Brian McTigue, hereby certify that on the date set forth below a copy of the foregoing **JOINT MOTION TO MODIFY PROTECTIVE ORDER** was electronically filed with the Court and served via the Court's CM/ECF notification system upon all counsel of record.

Dated: September 9, 2013

/s/ Brian McTigue
Brian McTigue
McTigue Law LLP